

OVERVIEW & SCRUTINY COMMITTEE

14 JANUARY 2020

Present:

Councillors Bullivant (Chairman), D Cox (Vice-Chairman), Austen, H Cox, Cook, Daws, Eden, Evans, Foden, Gribble, Goodman-Bradbury, Hayes, Hocking, Keeling, Morgan, Mullone, Nuttall, Nutley, Orme, Patch, J Petherick, Parker-Khan, Purser, Peart, Rollason, Thorne and Tume

Members in Attendance:

Councillors Bradford, Connett, Dewhirst, Haines, Jeffery, Kerswell, MacGregor, Phipps, Russell, Swain, Taylor, Wrigley, Clarence, J Hook and Jeffries

Apologies:

Councillors Jenks, Parker and L Petherick

Officers in Attendance:

Chris Braines, Waste & Cleansing Manager
Tom Butcher, Senior Estates & Development Surveyor
Martin Flitcroft, The Chief Finance Officer & Head of Corporate Services
Fergus Pate, Principal Delivery Officer
Trish Corns, Democratic Services Officer

1. MINUTES

The Minutes of the meeting held on 17 December, 2019 were approved as a correct record and signed by the Chairman.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PUBLIC QUESTIONS UNDER COUNCIL PROCEDURE RULE 5.8(H)

None.

4. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 5.8(I)

None.

5. EXECUTIVE FORWARD PLAN

The Committee noted the Executive Forward Plan.

6. SCRUTINY OF EXECUTIVE DECISIONS RELATING TO ISSUES PREVIOUSLY REVIEWED BY THE COMMITTEE

The Committee noted the minutes of the Executive held on 7 January, 2020.

7. WORK PROGRAMME

The Committee Work Programme circulated with the agenda was received and noted.

8. PORTFOLIO HOLDER PRESENTATION COUNCILLOR CONNETT (CORPORATE RESOURCES)

Councillor Connett, Portfolio Holder for Corporate Resources summarised his service areas of responsibility, encompassing Finance, Assets and Estates, Regeneration, Revenue and benefits, Procurement, Internal Audit and Legal, identifying successful, and challenging issues, and where the overview and scrutiny process could assist.

Budget setting and monitoring was pertinent with the present budget setting process. Investment opportunities through land and asset acquisitions provided openings for the Council to gain annual income from rents.

The procurement service ensured the Council purchases were the best value, and supporting local trade and local employment. Councillor Connett advised that at present 10% of the Council's purchases were from local traders, and that the Committee could assist in this area by reviewing this issue with a view to increasing sustainable procurement.

In regard to the Audit role of the Council covering internal audit and information governance, Councillor Connett particularly referred to the extensive range of Freedom of Information requests, and the depth of response required.

Turning to the Revenue and Benefits function of the Council, Councillor Connett referred to the empty homes levy which collected £117,000 per annum of which 8.85% was retained by the Council. This had increased income for the Council from £5,177 to £10,355 following Council decision to increase the Council Tax on empty homes from 50% to 100%.

In regard to the NNDR or business rates relief, Councillor Connett referred to the relief to charitable organisations and suggested that a review could be undertaken to look at the Council's current policy and the benefits to the community.

Councillor Connett referred to the Assets and Estates Council role and the benefits to the Council of raising income from assets to offset the loss of Government grants. The Council had been prudent over past years in acquiring assets, with income from assets increasing from £600,000 to £2.9 million.

Turning to the challenges for the Council Councillor Connett particularly referred to the ambitious target the Council had set itself to be carbon neutral by 2025. Additional challenges were providing housing, creating economic growth and jobs, Brexit on 31 January, and balancing the budget.

9. INITIAL FINANCIAL PLAN PROPOSALS 2020/21 TO 2022/23

The Chairman referred to the report circulated with the agenda, which set out the initial financial plan proposals 2020/21 to 2022/23, to be published for consultation over the next six weeks. The council tax base for 2020/21 would be determined by Council on the rising of the meeting and had been recommended by the Executive on 7 January, 2020 to be set at 49,714.

The initial financial plan proposals included increasing the level of council tax by £5, the maximum allowed without having to hold a referendum.

RECOMMENDED

That Council resolves to approve the council tax base of 49,714 for 2020/21 as set out in the appendix to the report circulated with the agenda.

10. PROVISION OF WASTE & RECYCLING CONTAINERS AT NEW-BUILD DWELLINGS

Consideration was given to a proposed charge of £80 for the provision of waste and recycling containers at new-build household properties in the district. Statutory provisions contained within the Environmental Protection Act 1990 enable the Council to charge occupiers for waste and recycling containers. However, this was subject to the occupier's consent and there was no power to impose such a charge. The containers would remain the property of the Council. The cost was currently covered by the Council at approximately £50,000 per year, based on a rate of 620 new properties per year.

Concerns raised by Members included: the scheme related to all new dwellings including social rented, and those with occupiers in receipt of benefits; the legislation prevented the Council from imposing the charge on developers; occupiers would be charged for what was considered essential service; the proposal did not include a possible concession rate for those on low income; and bins would become the ownership of the Council.

Members also took the opportunity to thank the Waste and Cleansing Manager and his staff for the smooth running of the bin collection service over the Christmas period.

By a majority vote it was,

RECOMMENDED

The Committee recommends to the Executive that:

- a) The charges as set out in the report be introduced from 1 April, 2020, and reviewed annually.
- b) Consideration is given to a concessionary rate for those eligible for the Council Tax Reduction Scheme (CTRS).
- c) A mechanism to transfer the charge from the occupier to the developer be investigated.
- d) The Council make representations to the Secretary of State for the legislation to be reviewed in line with (b) above.

11. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for minute 12 below on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

12. CALL-IN PORTFOLIO HOLDER DECISION 12-19 LAND AT NEWTON ABBOT

Consideration was given to the call in of Portfolio Holders decision 12-19. Additional information was circulated which clarified an issue in relation to the Portfolio Holder response to the call in. Members calling in the decision also circulated additional information. The agenda report set out the reasons for the call-in, and the Overview and Scrutiny call-in process.

Members calling in the decision were given the opportunity to address the Committee. The portfolio Holders for Planning and Housing, and Corporate Resources addressed the meeting in response to the reasons for call-in.

It was proposed and seconded that the portfolio Holder decision be deferred until a full methodology has been provided, with costings and a timetable and that this be reviewed by the Committee.

A vote was taken and the proposal was lost by 5 votes for and 14 against.

It was proposed and seconded that the Portfolio Holder decision should not be challenged. This was carried by 15 votes for and 5 against. The decision would be implemented in accordance with the Portfolio Holder decision.

RESOLVED

Portfolio Holder decision 12-19 is not challenged.

Overview & Scrutiny Committee (14.1.2020)

The meeting started at 10am and finished at 11.59am

CLLR P BULLIVANT
Chairman

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